United Nations S/AC.49/2017/25

Security Council

Distr.: General
8 March 2017

Original: English

Security Council Committee established pursuant to resolution 1718 (2006)

Note verbale dated 2 March 2017 from the Permanent Mission of Pakistan to the United Nations addressed to the Chair of the Committee

The Permanent Mission of the Islamic Republic of Pakistan to the United Nations presents its compliments to the Security Council Committee established pursuant to resolution 1718 (2006) and, in line with paragraph 36 of Security Council resolution 2321 (2016), has the honour to forward a report on the implementation of the resolution by the Islamic Republic of Pakistan (Statutory Regulatory Order (S.R.O.) 77(1)/2017 and S.R.O. 78(1)/2017 of 18 January 2017).*

* The texts referred to are on file with the Secretariat and are available for consultation.

17-04353 (E) 210317

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United Nations S/AC.49/2017/26

Security Council

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9 March 2017
English
Original: Spanish

Security Council Committee established pursuant to resolution 1718 (2006)

Note verbale dated 6 March 2017 from the Permanent Mission of Ecuador to the United Nations addressed to the Chair of the Committee

The Permanent Mission of Ecuador to the United Nations presents its compliments to the Chair of the Security Council Committee established pursuant to resolution 1718 (2006) and, in addition to the information provided in its note verbale dated 29 June 2012 (S/AC.49/2012/6), has the honour to report that the Government of the Republic of Ecuador, for the purposes of compliance with the provisions and prohibitions contained in resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013), 2270 (2016) and 2321 (2016), has made the content of those resolutions known to all relevant State institutions.

The Permanent Mission of Ecuador also reiterates that Ecuador does not transfer or provide weapons to the Democratic People's Republic of Korea, nor does it receive weapons from that country; that it does not transfer or trade materials or items prohibited by the above-mentioned resolutions from or with the Democratic People's Republic of Korea; that the development, production, possession, sale, import, transport, stockpiling and use of chemical, biological and nuclear weapons are prohibited by the Constitution of Ecuador and severely punished by Ecuadorean criminal law; that the Comprehensive Organic Criminal Code of Ecuador provides for compliance with Security Council sanctions, including account freezes, and the Financial Analysis Unit, the Office of the Attorney-General and the National Police of Ecuador accordingly have lists of entities, goods and individuals subject to the sanctions established by the above-mentioned Security Council resolutions.

17-04083 (E) 160317 160317

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United Nations S/AC.49/2017/27

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Security Council Committee established pursuant to resolution 1718 (2006)

Note verbale dated 8 March 2017 from the Permanent Mission of Cyprus to the United Nations addressed to the Chair of the Committee

The Permanent Mission of Cyprus to the United Nations has the honour to submit the report of Cyprus on the measures taken in order to effectively implement the provisions of Council resolution 2321 (2016), pursuant to paragraph 36 of that resolution (see annex).

17-04089 (E) 160317

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Annex to the note verbale dated 8 March 2017 from the Permanent Mission of Cyprus to the United Nations addressed to the Chair of the Committee

Report of Cyprus on the implementation of Security Council resolution 2321 (2016)

Cyprus and the other member States of the European Union have jointly implemented the restrictive measures against the Democratic People's Republic of Korea imposed by the Security Council in its resolution 2321 (2016) by taking the following common measures:[1]

- Council Decision (CFSP) 2016/2217 of 8 December 2016, amending Decision (CFSP) 2016/849 concerning restrictive measures against the Democratic People's Republic of Korea,[2] which implemented the designation of additional persons and entities (travel ban and asset freeze)
- Commission Implementing Regulation (EU) 2016/2215 of 8 December 2016, amending Council Regulation (EC) No. 329/2007 concerning restrictive measures against the Democratic People's Republic of Korea[3]
- Council Decision (CFSP) 2017/345 of 27 February 2017, amending Decision (CFSP) 2016/849 concerning restrictive measures against the Democratic People's Republic of Korea.[4]

The Council decisions set out the commitment of the European Union to the implementation of all measures contained in Security Council resolution 2321 (2016) and provide the basis for specific accompanying measures taken by the European Union within the scope of the resolution, notably the following:

- Trade ban applied on nuclear- and/or missile-usable items listed in annex III of resolution 2321 (2016)
- Trade ban on items contained in the conventional arms dual-use list adopted by the Sanctions Committee pursuant to paragraph 7 of resolution 2321 (2016)
- Ban on all leasing, chartering or provision of crew services to vessels or aircraft of the Democratic People's Republic of Korea
- Prohibition of the registering of vessels of the Democratic People's Republic of Korea using that country's flag, and of owning, leasing, operating, providing vessel classification, certification or associated services or insuring a vessel flagged by the Democratic People's Republic of Korea
- Clarification that specialized teaching and training that could contribute to the proliferation-sensitive nuclear activities of the Democratic People's Republic of Korea or the development of nuclear weapons delivery systems can also include, but not be limited to, advanced materials science, advanced chemical

[1] All common measures are published in the *Official Journal of the European Union*.
[2] *Official Journal of the European Union L 334*, 9.12.2016, p. 35.
[3] Ibid., p. 29.
[4] *Official Journal of the European Union L 50*, 28/2/2017, p. 59.

engineering, advanced mechanical engineering, advanced electrical engineering and advanced industrial engineering

- Suspension of scientific and technical cooperation involving persons or groups who are officially sponsored by or represent the Democratic People's Republic of Korea, except in the case of medical exchanges. In the field of nuclear science and aerospace technology, exemptions can be granted by the Sanctions Committee when it has determined, on a case-by-case basis, that the activity will not contribute to illegal activities. For other fields of technical cooperation, the State concerned can determine that the activity will not contribute to illegal activities and has to notify the Sanctions Committee in advance
- Attribution of the power to list vessels to the Sanctions Committee, if it has information or reasonable grounds to believe that the vessels are involved in illegal activities. This includes the additional measures that could be imposed by the Sanctions Committee in this regard
- Restriction on admission to the European Union of members of Government and officials of the Democratic People's Republic of Korea and members of that country's armed forces who are associated with illicit activities
- Limitation on the number of bank accounts at banks in the European Union to one per diplomatic mission and consular post of the Democratic People's Republic of Korea and one per accredited diplomat and consular officer of that country
- Prohibition of the Democratic People's Republic of Korea from using real property that it owns or leases for any purpose other than diplomatic or consular activities, as well as prohibition of leasing real property from the Democratic People's Republic of Korea that is situated outside the territory of that country
- Prohibition of the providing of insurance or reinsurance services to vessels owned, controlled or operated, including through illicit means, by the Democratic People's Republic of Korea
- Prohibition of the procuring of vessels and aircraft crewing services from the Democratic People's Republic of Korea
- Obligation to deregister any vessel that is owned, controlled or operated by the Democratic People's Republic of Korea, including a prohibition of the registering of any such vessel that has been deregistered by another member State
- Extension of export prohibitions: the establishment of a new regime for the export ban on coal, including a cap on exemptions relating to total exports to all United Nations Member States. The power to implement the cap is attributed to the Sanctions Committee. The export ban is extended to include new items: statues, new helicopters and vessels, copper, nickel, silver and zinc
- Financial sector: imposition of an obligation to close existing representative offices, subsidiaries or banking accounts in the Democratic People's Republic of Korea within 90 days, unless approved by the Sanctions Committee on the

grounds that the accounts are required for the delivery of humanitarian assistance or the activities of diplomatic missions

- Prohibition of the provision of public and private financial support, including the granting of export credits, guarantees or insurance to nationals involved in such trade
- Obligation to expel persons who are working on behalf or at the direction of a Democratic People's Republic of Korea bank or financial institution, unless the presence of the person is required for fulfilment of a judicial process or exclusively for medical, safety or humanitarian purposes
- Obligation to seize and dispose of (such as through destruction, rendering inoperable or unusable, storage or transfer to a State other than the originating or destination State for disposal) items the supply, sale, transfer or export of which is prohibited by Security Council resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013), 2270 (2016) or 2321 (2016) that are identified in inspections, in a manner that is not inconsistent with their obligations under applicable Council resolutions, including resolution 1540 (2004)
- The Sanctions Committee may grant exemptions to the aforementioned prohibitions on a case-by-case basis, including when it has determined that an exemption may facilitate the work of international non-governmental organizations
- Council Regulation (EU) No. 2017/330 of 27 February 2017, amending Regulation (EC) No. 329/2007 concerning restrictive measures against the Democratic People's Republic of Korea,[5] gives effect to the measures provided by Council Decision 2017/345/CFSP of 27 February 2017.[6]

The above-mentioned Council Regulations are binding in their entirety and directly applicable in all member States of the European Union.

Regulation (EC) No. 329/2007 requires member States to determine the penalties applicable to infringements of their provisions. The penalties determined by Cyprus are set out in Law No. 58(I)/2016 on the implementation of the provisions of Security Council resolutions or decisions (sanctions) and European Union Council decisions and regulations (restrictive measures).

It should be noted that Law 58(I)/2016 also sets out the obligation of any person or entity in Cyprus to abide by and comply with all the provisions of Security Council and/or European Union decisions and regulations. Under this Law, all United Nations and European Union instruments are incorporated and adopted into the national legal order without the need to enact prohibition orders, and thus are automatically applicable and binding.

[5] Ibid., p. 1.
[6] Ibid., p. 59.

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Security Council Committee established pursuant to resolution 1718 (2006)

Note verbale dated 8 March 2017 from the Permanent Mission of Greece to the United Nations addressed to the Chair of the Committee

The Permanent Mission of Greece to the United Nations presents its compliments to the Chair of the Security Council Committee established pursuant to resolution 1718 (2006), and has the honour to submit the following information on the national measures taken with a view to implementing the provisions of Security Council resolution 2321 (2016), in accordance with paragraph 36 of the resolution.

According to Law 92/1967, on the implementation of United Nations Security Council resolutions, any resolution based on article 41 of the Charter of the United Nations that is mandatory for Member States, in accordance with article 25 of the Charter, is (a) published in the Official Gazette by Decision of the Minister for Foreign Affairs; and (b) implemented by virtue of a presidential decree. Such decree may further specify the prohibitions provided for in the resolution and the measures that are necessary for its implementation. Any violation of the provisions of the aforementioned presidential decree is subject to imprisonment of up to five years or to a fine, or both.

As far as Security Council resolution 2321 (2016) is concerned, Ministerial Decision No. F4980/AS6722 was issued and published in the Official Gazette, and the issuance of the relevant presidential decree is under way.

Moreover, the Bank of Greece has issued the relevant instructions to all Greek Banking institutions, in order for them to implement the provisions of Security Council resolution 2321 (2016).

On its part, the Anti-Money Laundering and Counter Terrorism Financing Authority has notified all concerned Greek entities of the adoption of Security Council resolution 2321 (2016) and instructed them to strictly implement the sanctions contained therein. More specifically, the Financial Sanctions Unit, which, together with the Financial Intelligence Unit, constitutes part of the Anti-Money Laundering and Counter Terrorism Financing Authority and is responsible for freezing the assets of, as well as prohibiting the provision of financial services to, natural and legal persons and entities that are designated for any reason by

resolutions of the Security Council (or by its competent organs) or by regulations or decisions of the European Union, has notified all obliged persons, referred to in article 5 of Law 3691/2008, as applicable (banks, various kinds of financial institutions, etc), about the above-mentioned Security Council resolution (as well as the relevant regulations and/or decisions), and has demanded a thorough investigation for the detection of assets of any nature belonging to the designated persons or entities.

Additionally, the Greek customs authorities and the Greek coast guard authorities, through the Ministry of Maritime Affairs and Insular Policy, have been advised as to the provisions of Security Council resolution 2321 (2016).

Furthermore, the Hellenic Chamber of Shipping and the Union of Greek Shipowners have also been advised as to the provisions of Security Council resolution 2321 (2016).

These measures complement and reinforce those already in place in follow-up of Security Council resolutions 1695 (2006), 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013) and 2270 (2016).

Greece, as a European Union member State, is bound by Council Decision 2016/2215/CFSP of 8 December 2016, and the Commission Implementing Regulation 2016/2215 of 8 December 8 2016 amending Council Regulation (EC) 329/2007, concerning restrictive measures against the Democratic People's Republic of Korea, which have been adopted with a view to implementing the most recent United Nations sanctions against the Democratic People's Republic of Korea.

Finally, Greece is bound by two other legal texts recently published by the European Union, and based on Security Council resolution 2321 (2016); first, Council Decision (CFSP) 2017/345 of 27 February 2017 amending Decision (CFSP) 2016/849, concerning restrictive measures against the Democratic People's Republic of Korea; and second, Council Regulation (EU) 2017/330 of 27 February 2017 amending Regulation (EC) No 329/2007, concerning restrictive measures against the Democratic People's Republic of Korea.